

Markup of Katrina Report
Senator Joe Lieberman
May 2, 2006

Thanks very much. Madam Chairman, I'm very proud to have worked with you on this enormous undertaking and am happy to join you in offering this report for the full Committee's consideration today. The document before us is comprehensive and fact-laden, and on the basis of these facts, we present what we believe are hard-hitting findings and constructive and progressive recommendations.

Thanks to Senator Collins' leadership, this investigation and the drafting of the report itself were bipartisan and nonpolitical. Our staffs came together in a way that is rarely seen on Capitol Hill, to work across party lines to assess the response to the greatest natural disaster in American life in the past 100 years - and the first disaster to test all levels of government since September 11th.

Entitled "Hurricane Katrina: A Nation Still Unprepared," our report chronicles how all levels of government failed that test. Reaction to the report so far has focused mainly on our proposed creation of the National Preparedness and Response Authority. But I hope the media and the public will also focus on the body of the report that makes the case for that recommendation. In those pages, we lay out precisely what went wrong and who is responsible - in greater depth with more telling detail than any other analysis of the response to this storm.

The report establishes four overarching causes for these failures: First, for years, government officials at all levels -- federal, state and local -- neglected their duties to prepare for a forewarned catastrophe. Second, government officials at all levels failed to realize that Katrina was a catastrophe, as it took shape and hit -- not a conventional hurricane. Third, they did little or actually did wrong, made poor decisions in the days before landfall, which inevitably doomed the post-landfall response. And fourth, the absence of effective leadership at all levels of government foreclosed the possibility of overcoming the previous lack of preparedness.

These failures of leadership and government cost lives and compounded the anguish of the storm's survivors. The lack of preparation and response at all levels of government constitute a gross dereliction of duty on the part of nearly all the agencies responsible for ensuring the safety of the people of the Gulf Coast, and New Orleans in particular, and on the part of all those in a position to lead.

The most profound leadership failures rest at the top, where the President of the United States has a unique constitutional and symbolic role to lead the nation in a time of a catastrophe, and he failed to exhibit the leadership expected of the President. First, the White House was told long before Katrina that FEMA did not have the capability to handle a catastrophe, but failed to adequately address that fact. Second, despite the clear warnings before landfall that Katrina would be catastrophic, the President and the White House were adrift and unfocused when they should have been leading an aggressive

response. Third, after landfall, they still seemed inexplicably passive -- at the very moment when leadership was most necessary. In a catastrophe, time is of the essence. Finally, two days after landfall, the President returned to Washington after being away for over a week and convened the Cabinet.

Homeland Security Secretary Chertoff and his department lacked a basic understanding of the federal government's blueprint for responding to a catastrophe, and, in fact, hadn't even assigned at least one of DHS's response obligations -- maintaining law and order - to any one in the department before landfall.

On the days leading to landfall, neither the Secretary nor his top aides expressed a clear sense of urgency, losing precious time in readying the government's response to almost certain disaster. Notably, the Secretary failed to activate the National Response Plan's Catastrophic Incident Annex, which would have sent a clear signal to the participating federal agencies that a proactive response was required immediately.

On the day of landfall, the department's Homeland Security Operations Center -- the central federal agency for monitoring and distributing information in a time of crisis whether a natural disaster or a terrorist attack -- essentially abdicated its responsibilities, failing miserably, inexplicably, and infuriatingly to pull together the overwhelming evidence it had to understand and communicate the catastrophic dimensions of what was occurring to key decision-makers, including the President of the United States.

The poor structure and leadership of FEMA stand out in this saga, and I will have more to say about what we need to do to correct that later. Michael Brown obviously was incapable of leading an effective response despite his claims to have understood Katrina's danger the weekend before landfall. He rose to neither the challenge of the storm itself, nor to the responsibilities of his office.

FEMA failed to train and equip staff for likely operations. It failed to arrange adequate contracts in advance to transport necessary commodities. It failed to adequately preposition communications equipment. And it even failed to use the assets that were available, for example, dispatching too few emergency response teams to the region too late. It was further crippled by a 15 percent vacancy rate for over a year and senior political management largely without emergency management or other relevant experience.

At a state and local level, Governor Blanco and Mayor Nagin equally failed to prepare, coordinate, and deploy available state and local resources that were needed to deal with the hurricane. Most egregiously, the city and state -- as well as the federal government -- failed to arrange transportation for the 100,000 people in New Orleans who they KNEW would be unable or unwilling to evacuate. Nor was the state adequately prepared to care of the old, the infirm, and the incapacitated under the catastrophic conditions they were long warned would come with a hurricane like Katrina.

The pivotal failures of the months and days leading up to the storm might have been mitigated if effective leadership -- at all levels of government in the days before and after the crisis -- had existed to inspire and drive a more aggressive and comprehensive response. That was not the case for the City of New Orleans, the State of Louisiana, nor the government of the United States.

In national catastrophes, the nation looks to the President, who is uniquely empowered to lead our country's response to a catastrophe of Katrina's magnitude. President Bush won our admiration for the way he took charge following the attacks against America of September 11th. In the case of Hurricane Katrina, he failed to provide that same presidential leadership when it was needed, and America suffered.

The report Senator Collins and I are proposing today therefore recounts a double tragedy of epic proportions -- a tragedy caused by nature and another tragedy compounded by human folly and failures of leadership.

The Chairman and I are of like mind and expression about all elements of this report except three, on which I have provided additional views. One area of difference is on the role of the White House and the President in events surrounding Katrina, the second is on the level of cooperation of the White House and other federal agencies with this investigation, and the third is on who is responsible for the failure to establish a unified command in Louisiana after landfall.

I've already commented on the White House's role in response to Katrina: It was too little, too late, and the failure of it and the President to engage either in preparing for the storm or in responding to it until nearly two days after landfall cost lives and compounded the anguish of the storm's survivors.

Beyond that, it is difficult to comment on the specifics of the President's and the White House's performance, because, as we point out in our additional views, the White House's extreme lack of cooperation with the investigation severely hindered our ability to find out exactly what the President and his staff did or didn't do to lead. Only the President has the authority to order all federal agencies to take action, to resolve disputes, and to ensure that the government functions as a whole, as it should in a time of catastrophe. Therefore, the President and his staff were a legitimate subject of our inquiry, yet they spurned cooperation at every turn. In fact, during my Senate tenure, I have never experienced a White House so uncooperative. And it offered no convincing excuse for refusing to provide documents, information and witnesses we asked for -- a point confirmed by the non-partisan Congressional Research Service. As a result, our investigation, while comprehensive, is incomplete.

Finally, I want to say a word about our first and most important recommendation. The details we have uncovered and the conclusions we have reached simply demand bold action.

As you know, we call for disbanding FEMA in favor of a stronger, more accountable National Preparedness and Response Authority. Let me be clear: this is not about the thousands of FEMA employees who did their best under untenable conditions, without many of the tools and without the leadership needed for success. In fact, we thank those hard working FEMA employees for their dedicated service. But the agency as a whole has simply lost the confidence of the American people. On the Gulf Coast, the acronym itself is synonymous with a profanity. So our recommendation is to wipe the slate clean and begin anew with improved leadership and structure.

As we have structured it, the National Preparedness and Response Authority will be in a better position to marshal the resources of the federal government to prepare for, mitigate, respond, and oversee the recovery from catastrophes.

Here's why. First, we believe it must be located within the Department of Homeland Security, but as a distinct entity with independent authorities – like the Coast Guard, which performed superbly during Katrina. We know many want to return to the past and make FEMA a totally independent agency, but we disagree. Independence is not a guarantee for success.

Furthermore, it simply defies logic for the Homeland Security Department to be stripped of the government's emergency management programs. DHS was created to be the federal government's focal point for addressing the threat and impact of potential terrorist attacks or natural disasters. Emergency management is at the heart of that mission, just as FEMA was meant to be at the core of the Department. The Bush Administration was not true to that vision. We believe the answer is not to remove FEMA, but to give emergency management the prominence it was meant to have in the first place. That way the National Preparedness and Response Authority would be able to take full advantage of the Department's considerable resources - including the Coast Guard responders, communications capabilities and interoperability research, law enforcement assets, and intelligence about the types of attacks that are most likely to occur and that should be prepared for. NPRA would have more integration with the Department – not less.

Separating FEMA from the Department would also create needless duplication and overlap in the preparation for and response to disasters of all kinds. Whether the levees broke because of a hurricane or because of a bomb, much of the response would have to be the same, including evacuation and search and rescue.

Second, we would reunite the dual functions of preparedness and response. When DHS was first created, some preparedness responsibilities were given to FEMA. Others, including key grant programs, were placed elsewhere. Additional preparedness responsibilities and grant programs were subsequently transferred out of FEMA. We think this was a mistake. Preparedness grants and the planning, training, and purchase of equipment they fund provide the basis for an ongoing relationship among the Feds and state and local officials. Transferring these programs out of FEMA deprived it of important tools for ensuring a consistent and coordinated national response system. The

fact is, preparedness and response are two sides of the same coin. You cannot have one group of people working with states and locals to prepare to respond to a disaster and another group, unknown to local officials, showing up in the heat of the crisis to execute the plans put in place by others. Again, it defies logic.

Third, the director of the National Preparedness and Response Authority will have greater powers than the director of FEMA does now. In time of crisis, the director will report to the President and have the authority to galvanize whatever DHS resources are needed -- including response-oriented agencies like the Coast Guard, communications expertise from the National Communications System and SAFECOM, and the Department's significant law enforcement assets.

Fourth, the agency's effectiveness will depend on the quality of the people put in key positions. Therefore, we insist on minimal requirements for those in top positions, such as experience in crisis management, which will inspire confidence that they are ready and capable of doing their jobs. I further propose we transfer FEMA's dedicated career employees directly to the new NPRA.

The ultimate value of this report will be what results from it. I hope it will be required reading throughout government for the lessons to be learned on what not to do and what to do before and during a crisis. It should serve as a primer for those at every level of government whose responsibility it is to react and respond to a catastrophe. This goes for the White House on down to city halls in any region where natural disasters or terrorist attacks are likely to occur. Only then, will we be able to defy Santayana's prophecy that those who fail to learn from the past are doomed to repeat it. Thank you.